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DEPARTMENT OF COMMUNITY AFFAIRS
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February 22, 2008

The Honorable Frank W. Minor
Mayor of Logan Township
125 Main Street
Bridgeport, NJ 08014

Re: Logan Township Petition for Initial Plan Endorsement – Consistency Report

Dear Mayor Minor:

The Office of Smart Growth (OSG) and our State agency partners have reviewed the Initial Plan Endorsement petition submitted by Logan Township for consistency with the State Development and Redevelopment Plan (State Plan) and would like to commend the Township for its active participation and dedication to the Plan Endorsement process. However, significant consistency issues remain that need to be resolved prior to OSG's recommendation for endorsement. Pursuant to N.J.A.C. 5:85-7.5(f), OSG requests additional information as outlined below in order to recommend the Logan Township petition for Initial Plan Endorsement by the State Planning Commission (SPC). OSG and our State agency partners are committed to working with the Township to establish a timeline to address the consistency issues to receive Plan Endorsement from the SPC. Alternatively, the Township may want to consider withdrawing its current petition and resubmitting a new petition under the Plan Endorsement guidelines adopted by the State Planning Commission on October 17, 2007. The following summarizes issues that must be addressed through the Initial Plan Endorsement (current) process before OSG can make a recommendation to the SPC finding the petition consistent with the State Plan.

Consistency Issues

Balancing Growth

With the large amount of growth anticipated in the township, OSG and State agency partners expect action to be taken such that development is balanced with preservation. The creation of centers provides the opportunity to absorb growth in appropriate locations while preserving areas desired for open space, agriculture, or other uses of limited intensity. However, the mere

designation of centers is not enough to ensure that growth occurs in the appropriate locations. The Township must also put in place complementary measures that limit growth potential outside of centers and adequately protect the environs. While the Township has downzoned the former R-1 and R-2 zones to R-5 (1 dwelling unit per 5 acres), this is generally not sufficient to discourage growth and in fact, often results in sprawl. The township must take additional action to better balance growth and prevent sprawl in the environs, such as the creation of a transfer of development rights program.

Proposed Centers

The following subsections describe problems associated with each of the three proposed centers, which range in nature from appropriateness as a location for targeted growth to center boundaries and conceptual design. In general, OSG and State agency partners think it more appropriate to direct growth to one area of the municipality rather than three and encourage the Township to propose a center that is compact and environmentally-appropriate while still able to accommodate planned growth. If one, compact center proves insufficient for meeting the Township's affordable housing obligation, it could propose a second small and *appropriately-sited* center.

Repaupo Village Center

The proposed location for this center has invoked some concern from State agencies. Its position off US Highway 130 and County Route 684, which is a two-lane road, could pose severe traffic congestion problems with the planned addition of 4,200 residents and accompanying jobs and services. Despite this serious problem, the site plan contains no measures to alleviate traffic congestion by providing for bicycle or pedestrian connections to the center of activity planned in the Bridgeport Town Center. This omission would further detract from efficient circulation around the township and increase dependence on the motor vehicle for local travel. The site also contains environmental constraints, including critical habitat, that contribute to it being an inappropriate location for a center.

The Repaupo Village Center is further problematic when assessed with the State Plan criteria for Village Centers. First, despite a maximum gross density of 3.75 units per acre, the ordinance is written such that a developer could still develop at roughly two dwelling units per acre, far below the density expected of a village center. However, even if the Repaupo Village Center were developed at 3.75 housing units per acre, this density is below that of the non-growth areas in the town zoned VR-A, VR-B, and VR-C, making the zoning somewhat indistinct between the centers and the environs. In addition to this, the center has a potential gross housing density of 3,887 people per square mile, notably less than the 5,000 per square mile prescribed by the State Plan. While OSG is flexible in applying these criteria, Logan's centers in particular must have higher density standards to relieve non-growth areas of development pressure. These two issues have the potential to undermine much of Logan's work towards the smart growth principles espoused by the State Plan and its goals of balancing growth with the preservation of the township's historic character.

In addition, the concept plan indicates a center design that is neither compact nor provides easy access for residents to navigate between the proposed "villages"/neighborhoods and between the proposed villages/neighborhoods and the "town center"/core. One barrier to ease of access is the requisite 100 acres of open space, particularly as it is shown on the concept plan in the heart of the center. Irrespective of its location, 100 acres of open space is too large for a center, which is to be compact. While center residents must have access to open space for both active and passive

recreation purposes, open space should not constitute such a large portion of the total center. Instead, these large tracts of open space should be maintained outside of the centers to ensure the preservation of the environs.

Finally, the proposed center boundaries include portions of PA-5 (Environmentally Sensitive Planning Area) along the center's eastern boundary. Consequently, the center would necessitate the designation of agriculture and river corridor belts incorporated into the development code in order to ensure the protection of valuable natural resources in this area generally considered inappropriate for growth. While we recognize that this center is the result the Settlement Agreement with The Villages at Logan LLC., we do not believe the Repaupo Village Center to be a suitable location for growth and advocate for the township to find a more appropriate location in which to meet its affordable housing obligation and to generally plan for growth.

River District Village Center

The Office of Smart Growth and State agency partners do not view the proposed River District Village Center as an appropriate place for targeted growth. As described on page 41 of Logan's Housing Element/Fair Share Plan, the area has an abundance of natural resources, including a significant amount of wetlands (estimated in the Housing Element as covering 65% of the proposed center), tidal marshes, and vernal ponds. With these conditions, it is not surprising that much of the site is located in a PA-5 (Environmentally Sensitive Planning Area).

In addition, center design is not in accordance with State Plan criteria. First, the proposed 2.5 dwelling units per acre is below the minimum density expected of a village center. Again, while OSG is flexible in applying these criteria, Logan's centers in particular must have higher density standards to relieve non-growth areas of development pressure. Other proposed development standards for the center do not capture OSG's intent for centers. In the concept plan submitted, uses are isolated from one another and development as a whole is not planned in a compact manner. Development standards for the entire PUD and individual uses do not meet the intention of center-based development, including the promotion of walkability through a mix of land uses within the core and reduced setback requirements.

Furthermore, the existing and planned transportation in this area is insufficient to handle such intense growth. Specifically, the Raccoon Creek bridge replacement project scheme does not currently accommodate any future widening of Route 130 or any access ramps that would support development in the proposed River District Village Center.

While we recognize that this center is the result the Settlement Agreement with Raccoon Creek LLC., we do not believe this to be a suitable location for targeted growth and advocate for the Township to find a more suitable location in which to meet its affordable housing obligation and in which to generally plan for growth.

Bridgeport Town Center

The location of this center is more suitable for center-based development than are the other two. However, several modifications would have to be made to center boundaries and concepts for development before State agencies could support its designation.

First, the proposed center boundary encompasses most of the Route 322 corridor within the township. As such, the size and layout of this proposed center is antithetical to the compact development form intended for centers in the State Plan. The Township should revise center boundaries to provide the benefits associated with compact development patterns, including increasing transportation options and cost savings (infrastructure provision, commuting), protecting natural resources, improving community health, and enhancing a sense of place.

Similarly, center boundaries should be delineated to reflect physical features such as streets and streams or changes in the character of development. However, the Office of Smart Growth does not support major roads such as Route 322 crossing through the middle of centers; instead, these should serve as center edges. Centers should be focal points for community activity with all areas of the center accessible to residents. Route 322 would serve as a major barrier for individuals attempting to move from the northern portion of the center to the southern and vice versa. The boundaries should be redrawn with Route 322 serving as an edge to enhance accessibility throughout the center.

The plans for the center development should include greater detail regarding land uses both graphically (“Bridgeport Town Center Development Concept”) and within the proposed ordinance (“Preliminary Bridgeport Town Center Overlay”). It is unclear how gateway commercial and regional office/commercial will differ from the types of commercial uses desired for mixed-use areas. In general, town centers should provide a vertical (within a building) and horizontal (within a given block or limited area) mix of land uses at a scale conducive to walking. New town centers should reflect this idea, with design features such as smaller lot sizes, minimal or zero setbacks, a mix of land uses throughout the center. The Township should consider expanding the mixed-use district to encompass a greater portion of the proposed center. Minimum setbacks for certain uses—notably retail/office—are too large to be inviting to the pedestrian. While there is a need to provide the pedestrian with some distance from Route 322, this could occur through a buffer on the street side of the pedestrian path rather than on the building side. The overlay ordinance should be revised to reflect the concepts described above and the language should be tightened to guarantee the type of development it strives to invoke.

It is also important to recognize and plan for the increased traffic that can be expected with commercial development even in areas accessible by alternative means of transportation. The plans submitted by the Township lack a detailed description of measures the Township will take to alleviate the additional traffic that would occur along the Route 322 corridor. The Township should design a gridded parallel road network off the State highway system to provide the additional access opportunities necessary to mitigate congestion.

Finally, as the center is very close to Woolwich Township—with proposed boundaries adjacent to the municipal border—the State agencies would like to see Logan plan for this center with Woolwich. From a transportation perspective, this is an opportunity to coordinate design strategies that will prevent the worsening of conditions and perhaps even improve the transportation network in both municipalities and along the Route 322 corridor. From an economic development perspective, it is an opportunity to ensure that economic development plans are not competing and are instead compatible in ways that can support the growth of both municipalities. The “Managing Change” study produced by the Delaware Valley Regional Planning Commission (DVRPC) could provide suggestions for planning for the corridor in a comprehensive and cooperative manner.

Statement of Community Visioning and Public Participation

Though the petition and supporting documents indicate that several meetings were held to discuss the Plan Endorsement process and provide opportunity for public comment, this does not meet the requirements of a visioning process. In place of a vision, the Township's amended petition continues to list the goals and objectives of the 2005 Master Plan Re-Examination Report and a brief description of the community's future of unknown origins; meeting minutes provided as support indicate that there were opportunities to comment on the master plan re-examination report, to report on the pre-petition meeting, and to receive feedback on the draft Plan Endorsement petition. However, the visioning process should include a series of participatory exercises in which all stakeholders have the opportunity to develop a shared conception of their desired future. Visioning should consist of forums of different types in which residents do not merely comment on information presented to them, but also help to create plans. Logan should engage its residents in a series of exercises in which stakeholders can interact with one another and exchange ideas on their desires for the future of their community, ultimately coming to a general consensus that can be summarized into a vision statement that guides future planning efforts and is consistent with the State Plan. The Office of Smart Growth is available for technical assistance with the visioning process.

Up-to-Date Master Plan/Re-Exam Report

There are major inconsistencies between the Plan Endorsement petition, the 2005 Master Plan Reexamination Report, and the Housing Element/Fair Share Plan. For example, the Reexamination Report implies that most of the township's growth should occur in the Route 322 corridor, while the petition distributes growth among the three centers. Meanwhile, the Housing Element/Fair Share Plan discusses the possibility of growth in all three centers, but goes to great length to explain why two of the centers—Repaupo and the River District—are inappropriate for growth. The extensive inconsistencies and substantial changes in the intensity, location, and land uses that has occurred since the previous Master Plan was adopted in 1990 exposes the need for the Township to develop a new comprehensive Master Plan that fully addresses the Township's new emphasis on growth. We recommend that the Township create a new Master Plan that does not rely on an outdated and internally inconsistent collection of documents. A new Land Use Element and consistent Housing Element and Fair Share Plan will be required in the Action Plan stage, while other supporting elements are to be developed during the Planning and Implementation Agreement (PIA) stage.

Wastewater Management Planning

The Logan Township Municipal Utilities Authority (MUA) is presently proposing the inclusion of over 3.4 square miles (3,483 acres) of lands and waters delineated as PA-5 on the Preliminary State Plan Policy Map as sewer service area. This is directly contrary to the petition statement "Logan Township accepts the New Jersey Preliminary Plan Update Delta Map-Cross Acceptance III, adopted by the State Planning Commission in July 2006, as it pertains to Logan Township as a base." This planning is also not consistent with State Plan policy for infrastructure in an Environmentally Sensitive Planning Area (PA-5).

Another conflict between the Township's proposed Wastewater Management Plan, the 2005 Master Plan Reexamination Report, and the petition arises from the proposed Planning Area change from a Fringe Planning Area (PA-3) to a Rural Planning Area (PA-4) and the provision of sewer service. The Township noted in the petition that, "Logan Township proposes changing the Planning Area designation of the R-5 Zoning District from PA-3 (Fringe) to PA-4 (Rural) as recommended by the Office of Smart Growth during the pre-petition meeting process. This

designation is more appropriate for the R-5 zone's permitted development density and agricultural nature." Although the Township is seeking to make the Planning Area change, the Logan MUA has submitted a proposal to NJDEP for allowing sewers to a portion of the proposed PA-4 near the Villages of Repaupo project but outside of the proposed center boundary. This planning is not consistent with State Plan policy for infrastructure in a Rural Planning Area.

Stormwater Management Program

A municipal stormwater management plan must be approved by the county in which it is located. The status of Logan's stormwater management plan remains unconfirmed and, in order for its Plan Endorsement petition to be recommended to the State Planning Commission for endorsement, State agencies will need to verify that Logan's plan has received approval from Gloucester County. If it is determined that the Township does not have an approved stormwater management plan, changes will have to be made to the plan such that it receives county approval prior to the endorsement recommendation.

Population, Household, and Employment Data

The petition includes several discrepancies in its population, household, and employment projections. First, it lists slightly different population projections for the year 2025. While this may seem like a minor discrepancy, the petition should list a consistent number throughout the document.

More significantly, the projections included in the Township's petition do not account for the proposed centers. The forecasts through the year 2025 listed in the petition generally match those of the DVRPC. However, in instances where there is reason to disagree with projections—such as in the case of proposing centers for growth—new projections should be provided that account for this growth. For example, total population growth for the three proposed centers indicates 16,101 new residents in the centers alone, nearly 9,000 more people than is estimated for the municipality's total 2025 population. Depending on the timeframe anticipated for the build-out of each center, these projections may not make sense in light of development plans. If the residential and employment projections for each center are presumed accurate, the Township should develop revised projections that account for center proposals.

Infrastructure

The Township did not submit a Capital Improvement Program with the petition. If such a plan exists, it shall revise the plan in the PIA stage to help implement the Master Plan and support growth.

Housing

The Housing Element/Fair Share Plan is inconsistent both internally and with the Plan Endorsement petition. The plan does not set forth a specific course for fulfilling its affordable housing obligation, but rather proposes multiple locations for housing while then explaining that they are inappropriate. For example, the Route 322 corridor is said to be favorable compared to the other sites because of its location and general configuration. The Villages at Repaupo is then described as "...spread out in an elongated pattern with no logical order" (p. 40). This section also describes the environmental constraints encumbering the proposed River District Village Center/Raccoon Creek site. While State agencies recognize that Logan has a court mandate to develop these arguably inappropriate areas for affordable housing, OSG cannot endorse plans that recommend such inappropriate locations for affordable housing. Inconsistencies also exist

between the Housing Element/Fair Share Plan and Plan Endorsement petition, as areas proposed as centers are described in the Housing Element/Fair Share Plan as inappropriate for extensive development. A new Housing Element and Fair Share Plan will have to be developed that are consistent with the Land Use Element and Plan Endorsement petition as well as itself.

Agriculture and Farmland

The southern area of the township contains agricultural lands with a PA-2 (Suburban Planning Area) designation that are not part of a proposed center. The Township's intent for these lands thus remains unclear. If it wishes to retain the agricultural land, it should propose a planning area change—most likely to a PA-4 (Rural Planning Area)—and accompanying mechanisms to transfer development away from this area.

Emergency Planning

The petition should include formal evidence that the Township has an Emergency Operating Plan approved by the NJ State Police. OSG expects that the approval letter, rather than the full plan, will be part of the petition.

Planning and Implementation Agreement

Generally, the PIA should be formatted by subject with corresponding numbering. OSG will provide a template for this format. Through negotiations, the timeframes in the PIA will be revised to be more specific (i.e. time periods for completion of specific tasks).

For PIA entries that require NJDOT assistance, the State assistance column should have an asterisk denoting the following: “When requested, NJDOT will give priority consideration to providing technical assistance consistent with program requirements and subject to the availability of State resources.”

General

- The Township shall submit drafts of all new and revised planning documents required by this PIA to OSG.
- The Township shall submit a biennial report to OSG and the public concerning the terms of this PIA and related efforts pursuant to NJAC 5:85-7.12(c). Due to the volume of significant PIA items likely to be addressed in the first year, OSG will recommend to the State Planning Commission that the first review be pushed up to a year after endorsement.
- The Township shall coordinate with planning efforts of adjoining municipalities, the County, State, and regional entities particularly concerning: regional planning, transportation, economic development, tourism, natural resource protection and open space and recreation.
- Upon the satisfactory completion of PIA items that lead to the fulfillment of all the requirements for Advanced Plan Endorsement, OSG will recommend to the State Planning Commission that the Township receive Advanced Plan Endorsement. The PIA may then be adjusted accordingly.

Zoning

- In addition to revising the zoning ordinance as described above, the Township shall provide copies of its annual report of zoning activities per the MLUL requirement outlined in N.J.S.A. 40:55D-70.1

Circulation

- As noted in the PIA proposed in the petition, the Township shall prepare an updated Circulation Plan to help implement the master plan and support growth. It shall be revised to include more current information, such as the limited NJ TRANSIT service to the Pureland Industrial Park and the transportation opportunities and constraints created by the proposed land use objectives outlined in the Plan Endorsement petition.
- In the Circulation Plan, the Township shall develop specific recommendations to improve the local roadway network both within and outside centers. The recommendations should also establish the design parameters for creating “complete” streets that serve all modes of transportation. The discussion should address the role of on-street parking in creating a pedestrian environment. The discussion should also address specific improvements for biking such as bike boulevards or other bike connectivity improvements. The analysis should compare the proposed roadway connections to currently pending subdivision and site plan applications to ensure that opportunities to make connections are not lost. NJDOT will consider the possibility of technical assistance with circulation issues depending on the availability of resources and the submission of a Plan Endorsement petition more consistent with the State Plan.
- The Township shall work with OSG, DOT, and NJ TRANSIT so that improvements for roads and transit service are coordinated with center-based development.
- The PIA should contain an item that ensures cooperation with neighboring municipalities in comprehensively planning for the Route 322 corridor.

Infrastructure (Utility Service Plan and Capital Improvement Program)

- The Township shall prepare an updated Utility Service Plan to help implement the Master Plan, to plan for service extensions in locations deemed appropriate for growth, and to support growth by ensuring the existence of sufficient infrastructure capacity.
- In terms of its water supply, the Township must provide evidence that it has adequate firm capacity in order to serve the amount of growth described in its petition.
- The Township shall prepare an updated Capital Improvement Program to help implement the Master Plan by coordinating infrastructure investment with plans for growth.

Economic Plan

- The Township shall prepare an updated Economic Plan to help implement the Master Plan and support planned growth. It shall consider market conditions and needs, building stock and land available in areas targeted for economic development, infrastructure capacity, the skills of the local work force, and educational opportunity for skills development. The plan shall include stakeholders such as community development organizations, educational institutions, chambers of commerce, and local businesses in developing an economic development strategy.

Board of Education Five-Year Facilities Plan

- The Township shall prepare an updated Board of Education Five-Year Facilities Plan to help implement the Master Plan and support growth by ensuring sufficient school capacity.

Environmental Justice Inventory

- The Township shall consider the information in the Environmental Justice Inventory in its planning efforts.

Agricultural Retention Plan

- As described in the petition, the Township shall prepare an Agricultural Retention/Farmland Preservation Plan that protects its farmland and agricultural industry through the use of innovative planning techniques, economic development, natural resource conservation, and programs and policies to sustain a viable agricultural industry.

Conservation Plan

- The Township shall prepare an updated Conservation Plan to help implement the Master Plan and support growth while protecting natural resources.

Historic Preservation Plan

- The Township shall prepare an updated Historic Preservation Plan with a historic and cultural resources inventory and detailed strategies for the preservation, restoration, and adaptive reuse of identified resources.
- The Township shall work with State agency partners to identify funding for the preservation of historic structures identified in the Historic Preservation Plan's historic resources inventory.
- As described in the 1990 Historic Preservation Plan, the Township shall study the potential for a Historic District in Bridgeport. The township shall adopt the ordinances necessary to create a Historic Preservation Commission and then commence a historic survey to determine the appropriateness and potential boundaries for such a district. If designated, the Township should then adopt appropriate design standards to protect the character of the district.

Recycling Plan

- The Township shall prepare an updated Recycling Plan to help implement the Master Plan and support growth.

Community Facilities Plan

- The Community Facilities Element of the Township master plan identifies significant deficiencies in community facilities. However, the age of the document makes it difficult to determine whether such conditions persist. The township shall prepare an updated Community Facilities Plan that reflects existing conditions, helps implement the new Master Plan, and supports anticipated growth by ensuring sufficient quantity and quality of community facilities.

Conclusion

Pursuant to N.J.A.C. 5:85-7.5(f), the Township shall submit an amended petition within 90 days, by May 22, 2008. Should the Township be unable to provide us with the necessary items within

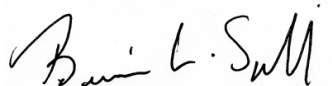
the prescribed timeframe, the petition shall be considered withdrawn and no further action shall be taken by OSG unless Logan Township resubmits a petition for consideration.

On October 17, 2006, the State Planning Commission adopted a resolution that authorizes OSG to continue to work with petitioning entities towards Plan Endorsement by allowing for an extension of the time periods contemplated by the State Planning Rules through the execution of a Memorandum of Understanding (MOU) and an agreed-upon Action Plan that establishes timelines for completion and evaluation of the tasks identified by the Action Plan. Any extension of time authorized by an MOU would be contingent on the petitioning entity's compliance with a mutually agreed-upon Action Plan, compliance with the MOU, and the petitioning entity's good faith efforts towards achieving Plan Endorsement

Should the Township choose to work under an Action Plan and MOU with the SPC, please notify OSG within 30 days, by March 23, 2008. However, this letter makes clear that the number and nature of issues to be addressed in the Action Plan are extensive. Given the amount of work that will be required to achieve consistency, the benefits associated with Initial Plan Endorsement may not prove worthwhile. Instead, the Township may want to consider withdrawing its current petition and re-submitting a new petition under the new Plan Endorsement Guidelines adopted by the State Planning Commission on October 17, 2007. While the Township has a vested right to continue under the Initial Plan Endorsement guidelines, we recommend that it withdraw. New Plan Endorsement is a more comprehensive review, but includes greater benefits for the Township. We would be happy to meet with the Township to discuss this option further.

Thank you again for your commitment to the Plan Endorsement process. If you have any questions or concerns, please feel free to contact Leigh Jones, Planner for Gloucester County within the Office of Smart Growth, at (609) 633-6119 or via email at Leigh.Jones@dca.state.nj.us.

Sincerely,



Benjamin L. Spinelli
Executive Director

BLS:lj

c: Lyman Barnes, Logan Deputy Mayor
Linda L. Oswald, Logan Municipal Clerk
Karl Hartkopf, PP, AICP, Planning Director, OSG
Leigh Jones, Planner, OSG
Joy Farber, Chief Council, OSG
State Agencies *via email*
Logan Township Plan Endorsement File